

SENATE BILL 1297

By Pody

AN ACT to amend Tennessee Code Annotated, Title 39
and Title 40, relative to indecent exposure.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-511(a)(1)(A), is amended by deleting the subdivision and substituting instead the following:

(A)

(i) In a public place, as defined in § 39-11-106, or on the private premises of another, or so near thereto as to be seen from the private premises:

(a) Intentionally:

(1) Exposes the person's genitals or buttocks to another;

or

(2) Engages in sexual contact or sexual penetration as defined in § 39-13-501; and

(b) Reasonably expects that the acts will be viewed by another and the acts:

(1) Will offend an ordinary viewer; or

(2) Are for the purpose of sexual arousal and gratification of the defendant; or

(ii) In a restroom, locker room, dressing room, or shower, any of which are designated for single-sex, multi-person use, and the person is a member of the opposite sex than the sex designated for use:

(a) Intentionally:

(1) Exposes the person's genitals or buttocks to another;

or

(2) Engages in sexual contact or sexual penetration as defined in § 39-13-501; and

(b) Reasonably expects that the acts will be viewed by another

and the acts:

(1) Will offend an ordinary viewer; or

(2) Are for the purpose of sexual arousal and gratification of the defendant;

SECTION 2. Tennessee Code Annotated, Section 39-13-511, is amended by adding the following language as a new subsection:

(e) A medical, psychiatric, or psychological diagnosis of gender dysphoria, gender confusion, or similar conditions, in the absence of untreated mental conditions, such as schizophrenia, does not serve as a defense to the offense of indecent exposure.

SECTION 3. This act shall take effect July 1, 2019, the public welfare requiring it.